

SECTION 203 — BORROW EXCAVATION

203.01 DESCRIPTION. This work shall consist of furnishing, excavating, hauling, and placing approved materials for embankments and backfills when sufficient quantities of suitable materials are not available from other excavations as specified in the Contract Documents. It shall include all work prescribed for backfills, embankments, subgrade, and earth shoulders, all necessary clearing and grubbing, the removal and disposal of overburden or other unsuitable spoil material and the trimming, shaping, dressing, draining, and reclamation of the pit or location from which borrow material is secured. Refer to 201.03.02 before securing borrow.

203.01.01 Contractor's Options. The Contractor, as a duly authorized agent of the Administration, may elect one of the following three methods to obtain borrow material for use on public highway Contracts:

OPTION 1 — Acquire material from a licensed commercial operating supplier.

OPTION 2 — Make application to the Department of Natural Resources under the Annotated Code of Maryland, Environment, Subtitle 8, entitled "Surface Mining".

OPTION 3 — Make application to the Administration to operate under the standard adopted in conformance with the Annotated Code of Maryland, Environment, Subtitle 8, Surface Mining, Subsection 15-834 entitled "Exemptions". A Contractor who elects to use Option 3 shall submit an application to the Administration fulfilling all the requirements of the cited subtitle.

203.01.02 Notice to Contractor—Borrow Pits. If the Contractor elects, a borrow pit may be established on privately owned property and the Administration may grant an "Exemption for a Surface Mining Permit" normally issued by the Water Resources Administration (WRA). Before a permit can be granted, the Contractor shall submit to the Administration written proof that all local permits or approvals have been secured for the borrow pits.

An exemption under Option 3 will require approval of an excavation and reclamation plan along with the drainage patterns and methods of attaining satisfactory drainage and soil conservation as the work progresses. The plan shall also provide for surface restoration suitable for

the proposed subsequent land use after reclamation is completed and the proposed method of accomplishment.

203.01.03 Borrow Pits Within 100 Year Floodplain. Borrow pits located within the 100 year floodplain of any waterway having a drainage area 400 acres or more (100 acres for Class II and IV trout streams) shall also have the Department of Natural Resources (DNR) approval. Borrow pit operations that impact either tidal or nontidal wetlands shall also be approved by DNR. Copies of the U.S. Army Corps of Engineers 404 permit or the State wetlands permit or license will be provided before an exemption will be granted.

The determination as to the applicability of waterway construction or wetland permits shall be the responsibility of the Contractor.

If the pit is in operation and the Administration discovers that the Contractor is not in conformance with these regulations, the Administration will take the appropriate action required including work shutdown, until the Contractor is in conformance.

203.02 MATERIALS. Refer to Section 916.

203.03 CONSTRUCTION.

203.03.01 Clearing and Grubbing. Refer to Section 101.

203.03.02 Borrow Pit Material. The Contractor shall notify the Engineer a minimum of 30 days in advance of the opening of any borrow pit so that soil analysis, elevations, and measurements of the ground may be made. After the pit is opened, the material excavated shall be used only for the project intended. The Contractor shall not excavate additional material for other purposes until a final survey is made of the pit.

Borrow Pit After Excavation. The borrow pit shall conform to the Reclamation (Permit) Plan after the necessary quantity of materials has been removed. Steep slopes and sheer faces shall be avoided. All disturbed areas shall be seeded and mulched as specified in Section 705 at no additional cost to the Administration. Shaping and seeding requirements do not apply to commercial borrow pits.

203.03.05 Borrow Excavation Beyond Specified Limits. Refer to 201.03.08.

203.03.06 Compaction. Refer to 204.03.04.

203.04 MEASUREMENT AND PAYMENT. Borrow excavation will be measured and paid for at the Contract unit price per cubic yard for the pertinent Borrow item. The payment will be full compensation for clearing and grubbing, furnishing, excavating and hauling, sloping, draining and reclamation of pits (if Option 2 or 3 is selected), the formation and compaction of embankments, backfills, subgrade, manipulation and additives for select borrow, all work and materials for earth shoulders except as otherwise specified, disposing of all unsuitable spoil material, and for all material, labor, equipment, tools, and incidentals necessary to complete the work.

When requested by the Contractor in writing, the Engineer may approve an alternate method of measurement for the computation of borrow excavation quantities. This alternate method will not be considered for approval unless the Contractor can show that the cross section method computed by average end area is not a feasible method of measurement. When approved in writing by the Engineer, this alternate method shall consist of measuring the borrow excavation in approved hauling vehicles in the following manner:

- (a) The Contractor shall designate, prior to the start of hauling operations, the identification number of each vehicle to be used. The Engineer will determine the water level capacity of each vehicle. The measured capacity shall be multiplied by a factor of 0.85 to determine the pay volume.
- (b) The Contractor shall furnish a delivery ticket to the Engineer for each load of borrow material delivered to the project. Any ticket not signed by the Engineer to acknowledge receipt will not be used in the computation of the borrow quantity.

The ticket shall include the following:

- (1) The supplier's name.
- (2) The Administration's Contract number.
- (3) The date and ticket number.
- (4) Vehicle identification number.
- (5) Type of material delivered.
- (6) Pay volume computed as specified in (a).